



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/902,005	07/29/1997	LAURA J. BUTLER	MSI-119US	9747
22801	7590	11/03/2008		
LEE & HAYES PLLC 601 W Riverside Avenue Suite 1400 SPOKANE, WA 99201			EXAMINER HUYNH, SON P	
			ART UNIT 2424	PAPER NUMBER
			MAIL DATE 11/03/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: LAURA J. BUTLER and GEORGE M. MOORE

Application 08/902,005
Technology Center 2400

Mailed: November 3, 2008

Before: HARRY HORTON, *Discipline Team Paralegal*.
HORTON, *Discipline Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 22, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

INFORMATION DISCLOSURE STATEMENT

Appellants filed two Information Disclosure Statements (IDSs) dated August 22, 2007 and July 21, 2008. *The Manual of Patent Examining Procedure* (MPEP) § 609 requires the Examiner to consider any IDS filed by Appellants if timely submitted. A written communication notifying Appellants of the Examiner's consideration of the above IDSs is required.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) to consider the IDSs filed August 22, 2007 and July 21, 2008;
- 2) to notify Appellants of said consideration and have communication made of record in the instant IFW application; and
- 3) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

hh

LEE & HAYES PLLC
601 W Riverside Avenue
Suite 1400
SPOKANE, WA 99201